

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BELLAGIO, LLC, *et al.*,
Plaintiffs,

2:11-CV-01975-PMP-PAL

vs.

ORDER

BELLAGIO SHOES, INC., *et al.*,
Defendants.

This is a trademark infringement and dilution case commenced by Plaintiffs Bellagio, LLC and Mirage Resorts, Incorporated (“Bellagio”) against Defendants Bellagio Shoes, Inc., a California corporation, Shlomo Ronen, Bertini Shoes, Inc., a California corporation, and Itzhak Ben Shoshan. Before the Court for consideration is Defendants’ fully briefed Motion to Dismiss for Lack of Jurisdiction Pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure (Doc. #10).

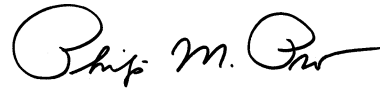
Defendants are not residents of Nevada and the Defendant shoe stores are located in Santa Monica, California. For this Court to exercise personal jurisdiction over Defendants, Plaintiffs must show that Defendants have at least “minimum contacts” with Nevada such that the exercise of jurisdiction does not offend traditional notions of fair play and substantial justice. *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 801 (9th Cir. 2004). After considering the extensive briefing and declarations submitted by the Parties as they affect each

1 Defendant individually and collectively, the Court finds Plaintiffs have failed to
2 demonstrate personal jurisdiction over any of the Defendants.

3 Plaintiffs have failed to show continuous and systematic ties with the
4 District of Nevada which “approximate physical presence.” *In Re Western States*
5 *Wholesale Natural Gas Litig.*, 605 F. Supp. 2d 118, 1131 (D. Nev, 2009). Neither
6 have Plaintiffs shown that their claims arise out of, or relate to Defendants contacts
7 with Nevada, or that by their conduct, Defendants have purposefully availed
8 themselves of the privilege of conducting activities in Nevada, thereby invoking the
9 benefits and protections of Nevada law. As a result, the Court finds it lacks general
10 jurisdiction and specific jurisdiction over Defendants.

11 **IT IS THEREFORE ORDERED** that Defendants’ Motion to Dismiss
12 (Doc. #10) is **GRANTED** without prejudice to Plaintiffs to re-file their action in the
13 United States District Court for the Central District of California.

14 DATED: February 27, 2012.

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PHILIP M. PRO
17 United States District Judge
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